

IN THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 07-00075
Plaintiff,)
vs.)
NATHANIEL D. PUNZALAN,)) **ORDER**
Defendant.))

This matter is before the court on the Defendant's Motion to Compel Disclosure of Information re Confidential Informant. See Docket No. 61. The court notes that the Government has not filed a response to said motion but did file an opposition to a similar motion filed by prior defense counsel.¹ In the interest of fairness and because the court would prefer to rule on the merits of motions as opposed to granting motions outright based on technicalities or procedural defects, the court will permit the Government to file a brief response to the more recent motion and specifically address the Defendant's request for the production of internal informant files.

Additionally, the court directs the Government to submit for the court's review any and all audio and video recordings it has in its possession that involve conversations, meetings, or transactions between the Defendant and the Confidential Informant and eventually led to the

¹ The Government's opposition (Docket No. 45) was filed in response to the Motion to Reveal Identity of Informant (Docket No. 44), which had been filed by prior counsel Rawlen Mantanona. Because the more recent motion filed by attorney Stephanie Flores (Docket No. 61) expands on the request originally made by Mr. Mantanona, the court will construe the more current motion as a supplement to the original motion.

1 prosecution of the instant case. Said evidence shall be submitted to the Clerk's Office, but not
2 filed, no later than July 11, 2008. After reviewing this evidence, if the court believes further
3 argument from the parties will aid it in reaching a decision, the court shall thereafter schedule a
4 hearing on the matter.

5 IT IS SO ORDERED.



6 **/s/ Joaquin V.E. Manibusan, Jr.**
7 **U.S. Magistrate Judge**
8 **Dated: Jul 03, 2008**

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28